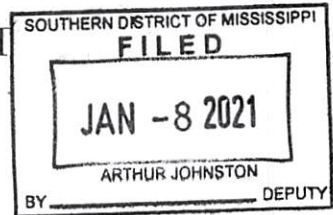


UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi



United States of America

v.

Connor Higginbotham

Case No. 1:21 mj 507 RPM

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 7, 2021 in the county of Harrison in the
Southern District of MS, Southern Division, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 922(j)

Unlawful for any person to receive or possess stolen firearms.

18 U.S.C. § 922(g)(3)

Any person who is an unlawful user of or addicted to any controlled substance in possession of firearms.

This criminal complaint is based on these facts:

See affidavit attached hereto and incorporated herein

☒ Continued on the attached sheet.

Complainant's signature

Joshua Cola, Special Agent, ATF&E

Printed name and title

Sworn to before me and signed in my presence.

Date: 1-8-2021

Judge's signature

City and state: Gulfport, MS

Robert P. Myers Jr., United States Magistrate Judge

Printed name and title

Affidavit for Criminal Complaint

Probable Cause

I, Joshua Cola, being duly sworn and deposed, state the following:

I have been employed as a Special Agent (SA) with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) since January 2018. Prior to employment with ATF, I was employed with the United States Secret Service as a Uniformed Division Officer. I obtained a Bachelor of Science Degree in Criminal Justice from Southern University in Baton Rouge, Louisiana. I am a graduate of the Federal Law Enforcement Training Center's Uniformed Police Training Program, Criminal Investigator Training Program, ATF Special Agent Basic Training, and the Transportation Security Administration Counterterrorism Program. I have attended the United States Secret Service Counter-Sniper School in Beltsville, Maryland. As an ATF Agent, I am empowered to investigate violations of Federal Firearms, Arson and Explosive Laws.

I have been involved in with numerous investigations involving the illegal possession of firearms by prohibited persons, the possession and use of firearms by narcotics traffickers/gang members, illegal sale or possession of machineguns and short-barrel shotguns or rifles, arsons of structures which affect interstate commerce, and the manufacture, possession or use of illegal explosive devices. Several of these investigations have included conspiratorial relationships between multiple defendants and generally involve a series or pattern of criminal activities or multiple criminal schemes.

1. This affidavit is based on information from law enforcement agents and sources and on my examination of various reports, evidence and records. This is being submitted for the limited purpose of establishing probable cause to support issuing a criminal complaint. It does not include all the facts that have been learned during the course of this investigation.

2. Based on personal knowledge and information I received from various law enforcement sources including the Gulfport Police Department, I am aware of the following facts:

3. On December 30, 2020, the Hancock County Sheriff's Office was contacted by a concerned citizen who was missing 15 firearms from his residence. Through further investigation, investigators interviewed a suspect who stated he traded his father's firearms for a large amount of marijuana, Xanax tablets, and LSD to Connor HIGGINBOTHAM of Gulfport, MS. The Hancock County Sheriff's Office contacted the Gulfport Police Department for assistance with the investigation. The Gulfport Police Department obtained a state search warrant for Connor HIGGINBOTHAM'S residence located at 908 Sweetgum Drive Gulfport, MS 39503.

4. On January 7, 2021, the Gulfport Police Department executed a search warrant at the residence of Connor HIGGINBOTHAM. Upon entry, officers made contact with HIGGINBOTHAM and Summer KEESEE. HIGGINBOTHAM and KEESEE was taken into custody and transported to the Gulfport Police Department for questioning. Officers searched

the residence and located a large amount of marijuana, twelve firearms, ammunition, and various documents belonging to residents. Investigators located several rifles inside HIGGINBOTHAM's bedroom closet to include a MAADI, model ARM, 7.62 caliber rifle, Serial Number: AC0066444.

5. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Special Agent (SA) Joshua Cola and Gulfport Police Department Investigator Aaron Killingsworth interviewed HIGGINBOTHAM at the Gulfport Police Department. SA Cola advised HIGGINBOTHAM of his Miranda rights prior to questioning. HIGGINBOTHAM waived his right to counsel and agreed to talk with investigators.

6. HIGGINBOTHAM told investigators he has been smoking marijuana since the age of seventeen years old. HIGGINBOTHAM stated he smokes approximately three to five times a day.

7. HIGGINBOTHAM told investigators all of the marijuana and firearms located inside of the residence belongs to him. HIGGINBOTHAM further stated he purchased several firearms from an underage male at his residence. HIGGINBOTHAM told investigators he was advised by the suspect's accomplice that the firearms were taken from the suspect's father. HIGGINBOTHAM stated during several of transactions purchasing the firearms, he also sold marijuana to the underage suspect. HIGGINBOTHAM told investigators he purchased the MAAD 7.62 caliber rifle from the underage suspect for two-hundred dollars then proceeded to sell him approximately two grams of marijuana.

8. An ATF Interstate Nexus Examiner, examined the MAADI, model ARM, 7.62 caliber rifle, Serial Number: AC0066444 and determined it was not manufactured in the state of Mississippi. Therefore, this firearm would have moved in or affected interstate commerce to be in Mississippi.

9. The amended Gun Control Act of 1968 (GCA), defines "firearm" to include-". . . any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive... [and] ...the frame or receiver of any such weapon..." (See 18 U.S.C. 921 (a)(3)).

10. Pursuant to Title 18 U.S.C. 922(g)(3), it is unlawful for any person who is an unlawful user of or addicted to any controlled substance to possess a firearm in or affecting interstate commerce.


11. Pursuant to Title 18 U.S.C. 922(j), it is unlawful for any person to receive, possess, conceal, store, barter, sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, which is moving as, which is a part of, which constitutes, or which has been shipped or transported in, interstate or foreign commerce, either before or after it was stolen, knowing or having reasonable cause to believe that the firearm or ammunition was stolen.

12. Based upon the foregoing information and my training and experience, I submit this information supports probable cause to believe Connor HIGGINBOTHAM violated Title 18, United States Code, Section 922(g)(3) and Title 18 United States Code, Section 922(j).



Joshua Cola

Special Agent, US Department of Justice
Alcohol, Tobacco, Firearms & Explosives

Sworn and subscribed before me this  day of January 2021.


United States Magistrate Judge